IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Confirmation Number: 9698

Viktoria Petrovna Yamskova et al. Attorney Docket: P67704US0

Serial No. 10/070,732 Group Art Unit: 1654

Filed: April 4, 2002 Examiner: Roy R. TELLER

For: NEW CLASS OF BIOACTIVE GLYPROTEIN

DECLARATION UNDER 37 C.F.R. § 1.132

1. I, Slyusarenko Igor Sergeyevich, am a citizen of Russia and reside at Mozhayskoe shosse, d.18, korp.1, kv.9, Moscow, 121471, Russia.

2. I am an expert in the field of chemistry of biologically active compounds, chemistry of synthetic and natural medicaments for 38 years. My professional resume is enclosed.

3. I am familiar with the above-referenced U.S. patent applications Serial No. 10/070,732 and the reference of Karler et al. (US Patent No. 4,169,139, hereinafter Karler) cited by the Examiner.

4. In order to determine whether it is possible to extract glycoprotein of the present invention using the method disclosed Karler, I conducted a number of experiments. More specifically, according to the procedures disclosed in Karler, I extracted mucoprotide products from cattle liver, cattle eye tissue, cattle blood serum, human bile, placenta, spleen, kidney, pancreas and pituitary gland.

5. According to the procedure disclosed in US 4,163,139, biologically active mucoprotide products were isolated from mammalian liver, from mammalian eye tissues (crystalline lens, cornea, pigment epithelium, retina), from mammalian blood serum, from human bile, fro, placenta, from spleen, from kidney, from pancreas, from pituitary gland. The biologically active mucoprotide product produced by isolating from different tissues was checked for the presence of specific biological activity consisting in the influence on viscoelastic properties of hepatocyte membrane in ultra-low doses $10^{-12} - 10^{-29}$ mole/l and lower according to the procedure disclosed in US patent application serial No.10/070732. The experiments were conducted within the period from 8.08.2005 to 7.10.2005.

6. As the experiment has shown, the isolated biologically active mucoprotide products according to patent US 4,169,139 do not exhibit any specific biological activity consisting in the influence on viscoelastic properties of hepatocyte membrane within the checked concentration range from 10-6 to 10-35 mole/l (see figures).
Thus, it can be concluded that US patent application serial No.10/070732 and US patent 4,169,139 describe different glycoproteins.

7. Therefore, Karler should not be cited as a reference against the present application under 35 U.S.C. 102/103 since it fails to teach or suggest the present invention. Accordingly, withdrawal of the rejection under 35 U.S.C. 102/103 is respectfully requested.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

EXECUTED at Moscow this 22 day of November, 2005.

By _____

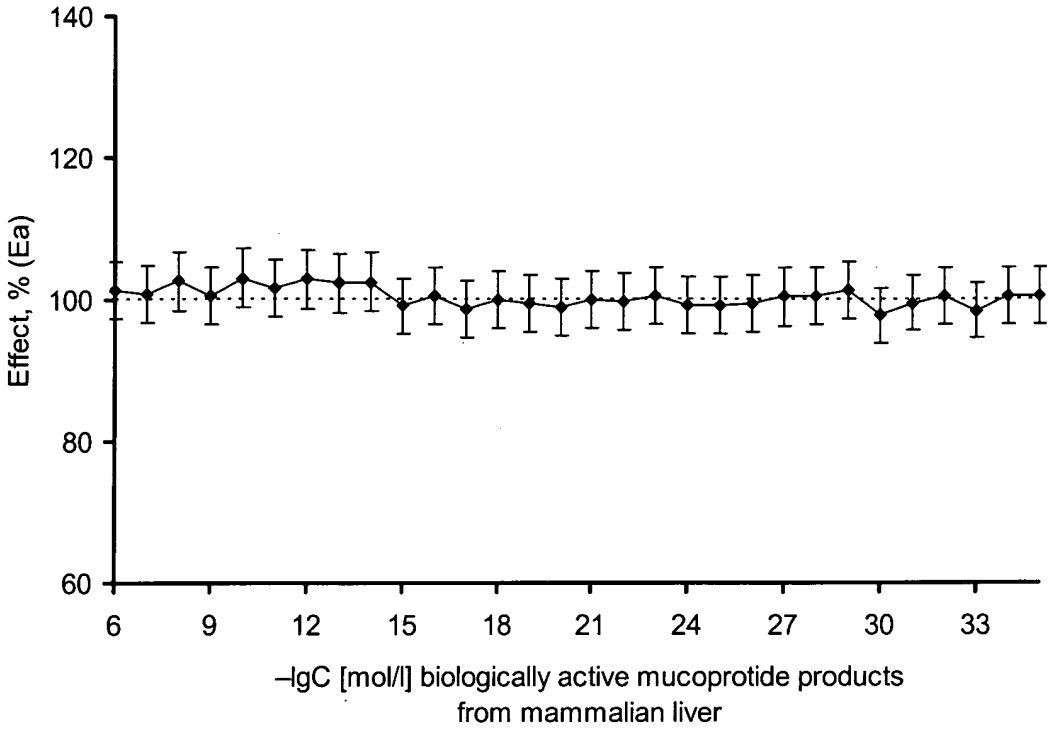


Fig 1.

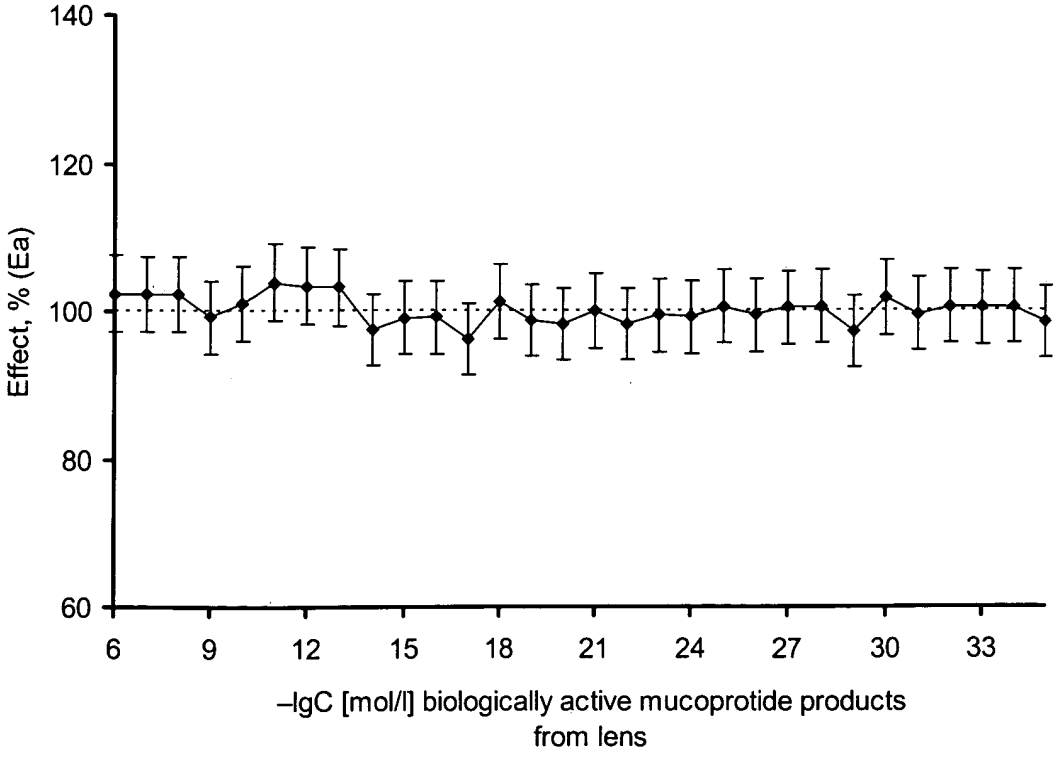
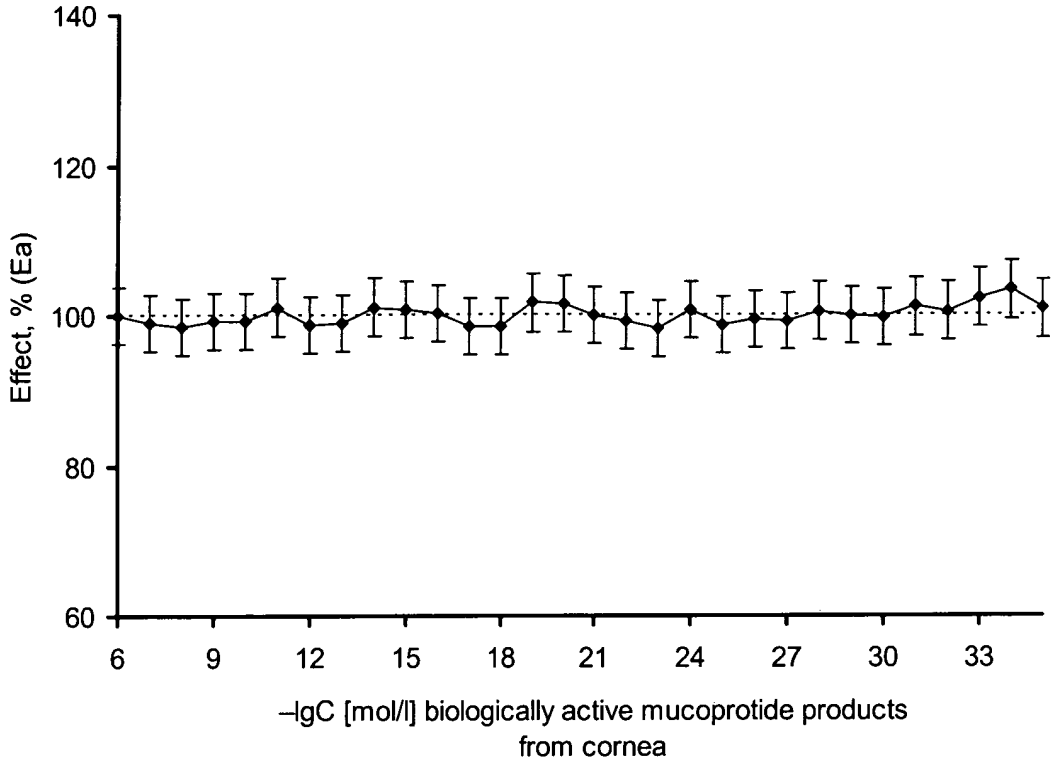


Fig 2.


140
120
100
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Effect, % (Ea)
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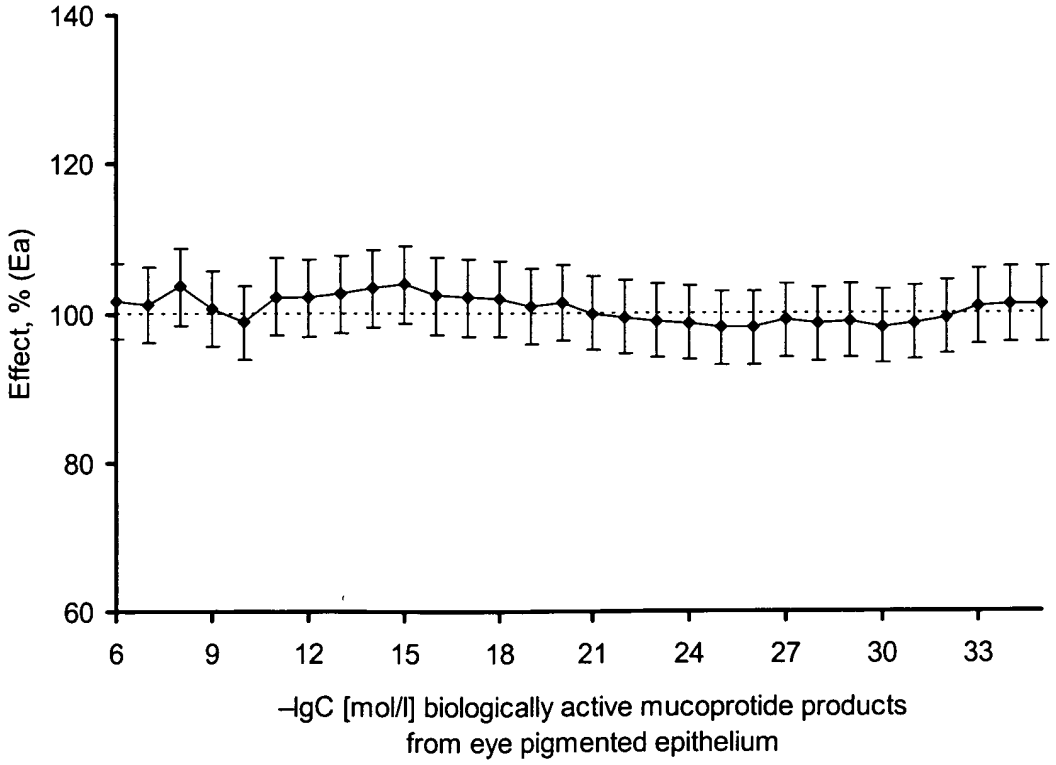
–lgC [mol/l] biologically active mucoprotide products
from cornea

Fig 3.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Effect, % (Ea)
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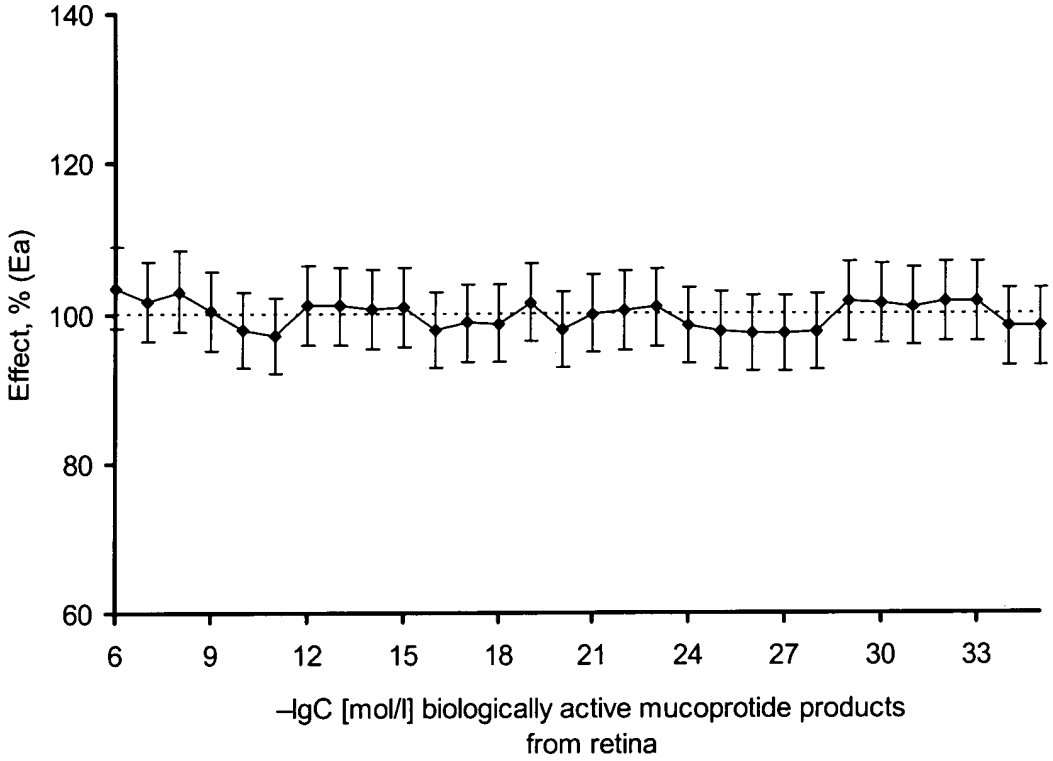
–lgC [mol/l] biologically active mucoprotide products
from eye pigmented epithelium

Fig 4.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Effect, % (Ea)
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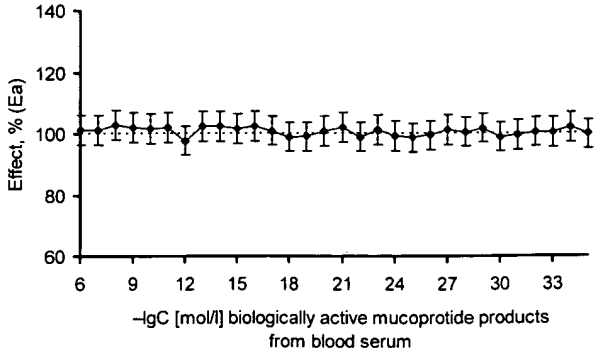
–lgC [mol/l] biologically active mucoprotide products
from retina

Fig 5.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Effect, % (Ea)
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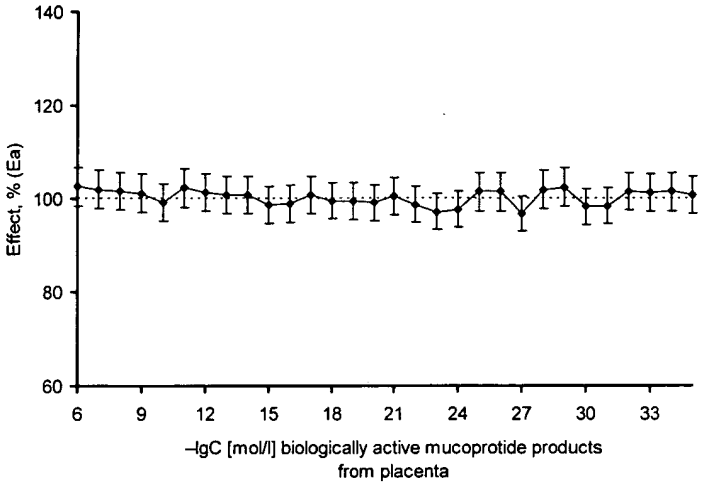
–lgC [mol/l] biologically active mucoprotide products
from blood serum

Fig 6.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Effect, % (Ea)
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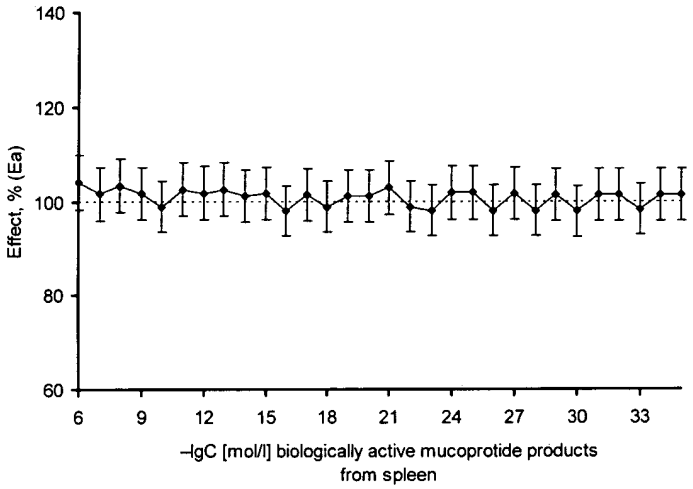
–lgC [mol/l] biologically active mucoprotide products
from placenta

Fig 7.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Effect, % (Ea)
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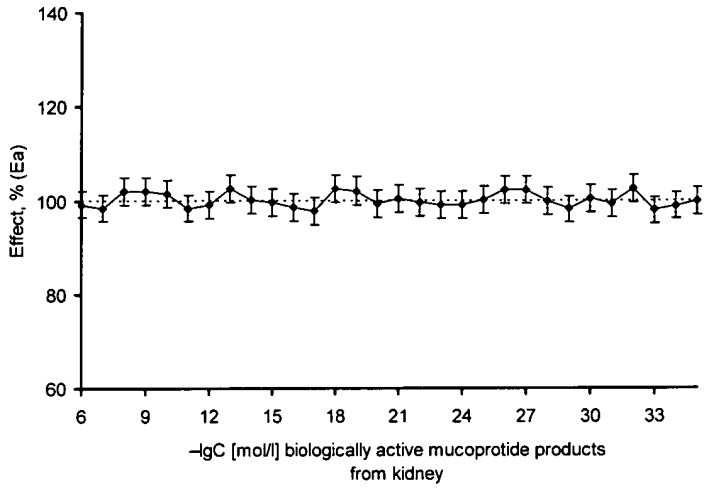
–lgC [mol/l] biologically active mucoprotide products
from spleen

Fig 8.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Effect, % (Ea)
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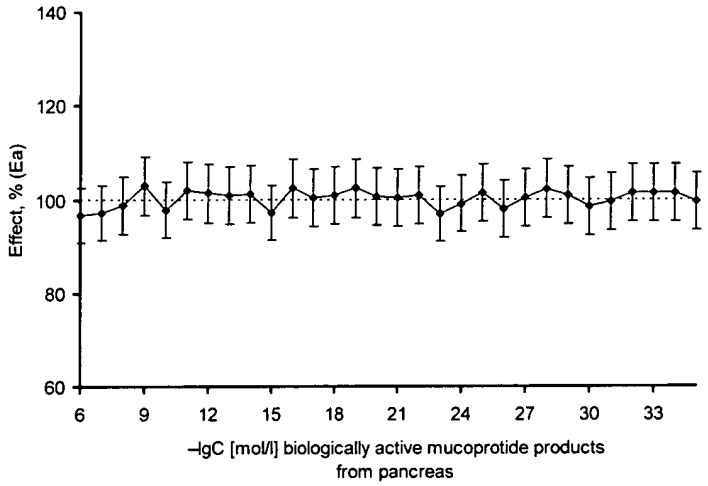
–lgC [mol/l] biologically active mucoprotide products
from kidney

Fig 9.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Effect, % (Ea)
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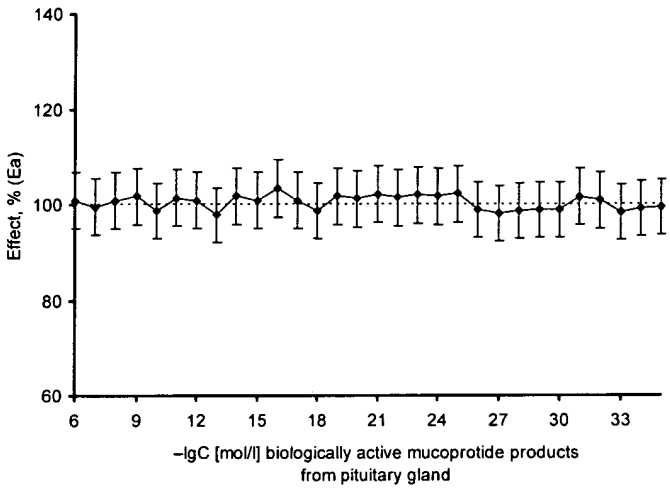
–lgC [mol/l] biologically active mucoprotide products
from pancreas

Fig 10.


140
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Effect, % (Ea)
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–lgC [mol/l] biologically active mucoprotide products
from pituitary gland

Fig 11.

RESUME

Slyusarenko Igor Sergeyevich.

Born 20.06.1943.

From 1961 to 1967 I studied at the Lomonosov Moscow Institute for Fine Chemical Technology. I graduated in 1967 with the speciality "Chemical technology of biologically active compounds". Diploma Ц No.846657 dated 01.03.1967.

From 1967 to 1969 I worked at the production-experimental plant of the S.Orjonikidze All-Union Scientific-Research Chemical-Pharmaceutical Institute. In 1969 I entered the post-graduate course the Biophysics Institute of the USSR Ministry of Health.

In 1974 I was awarded the scientific degree of master of Chemical Sciences. Diploma MXM No.017296 dated 9.10.1974.

From 1972 to 1978 I worked as a scientific/research worker at the Biophysics Institute of the USSR Ministry of Health.

From 1978 to 1990 I worked at the S.Orjonikidze All-Union Scientific-Research Chemical-Pharmaceutical Institute as a senior scientific/research worker.

From 1990 to 1992 I worked as a chief engineer at the production-experimental plant of the Centre for Chemistry of medicaments of the S.Orjonikidze All-Union Scientific-Research Chemical-Pharmaceutical Institute.

From 1992 I worked at the Biophysics Institute of the RF Ministry of Health as laboratory director and further as deputy Director of the Institute.

From 2000 I work at the ZAO PP "Endo-Farm-A" as a chief expert.

I am an expert in the field of chemistry of biologically active compounds, chemistry of synthetic and natural medicaments.

Working experience in the speciality is 38 years. I have 35 scientific works.

22.11.2005 Slyusarenko Igor Sergeyevich